

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

| | | |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, |) | 3:15-CR-064-LRH-(WGC) |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Preliminary Order of Forfeiture |
| |) | |
| EMMANUEL NAVARRO, |) | |
| |) | |
| Defendant. |) | |

This Court finds that defendant EMMANUEL NAVARRO pled guilty to Count One of a One-Count Superseding Information charging him with Conspiracy to Possess with Intent to Distribute and to Distribute at least 50 grams of a Mixture or Substance Containing a Detectable Amount of Methamphetamine in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Superseding Information, ECF No. 65; Plea Agreement, ECF No. 70; Change of Plea, ECF No. 71.

This Court finds defendant EMMANUEL NAVARRO agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Information. Superseding Information, ECF No. 65; Plea Agreement, ECF No. 70; Change of Plea, ECF No. 71.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Information and the offense to which defendant EMMANUEL NAVARRO pled guilty.

1 The following property is subject to forfeiture pursuant to Title 21, United States Code,
2 Section 853(a)(1), (a)(2), and (p):

3 United States currency, including: (a) \$12,710 recovered from a backpack in a
4 dark blue 2003 Audi four-door vehicle, bearing Nevada license plate 16A-139,
5 with vehicle identification number WAULC68E33A344943 on or about July 4,
6 2015; and (b) \$5800 recovered from a dark blue 2003 Audi four-door vehicle,
7 bearing Nevada license plate 16A-139, with vehicle identification number
8 WAULC68E33A344943 on or about July 9, 2015 (property).

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
12 the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
14 of EMMANUEL NAVARRO in the aforementioned property is forfeited and is vested in the
15 United States of America and shall be safely held by the United States of America until further
16 order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
18 America shall publish for at least thirty (30) consecutive days on the official internet government
19 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
20 property, state the time under the applicable statute when a petition contesting the forfeiture must
21 be filed, and state the name and contact information for the government attorney to be served
22 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
23 Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
25 entity who claims an interest in the aforementioned property must file a petition for a hearing to
26 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be

1 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
2 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
3 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
4 facts supporting the petitioner's petition and the relief sought.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
6 filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building,
7 400 South Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the
8 notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of
9 the publication on the official internet government forfeiture site, www.forfeiture.gov.


10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
11 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
12 the following address at the time of filing:

13 Greg Addington
14 Assistant United States Attorney
15 100 West Liberty Street, Suite 600
16 Reno, NV 89501

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
17 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
18 agency following publication of notice of seizure and intent to administratively forfeit the above-
19 described property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
21 of this Order to all counsel of record.

22 DATED this 16th day of June, 2016.

23
24
25
26


LARRY R. HICKS
UNITED STATES DISTRICT JUDGE